

House File 260 - Introduced

HOUSE FILE 260
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO HSB 47)

A BILL FOR

1 An Act granting home rule power and authority, subject to
2 certain limitations, to school districts.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 274.3 Exercise of powers.

2 1. School districts are granted home rule power and
3 authority, not inconsistent with the laws of the general
4 assembly, to determine their local affairs and government,
5 except that they shall not have power to levy any tax unless
6 expressly authorized by the general assembly.

7 2. If the power or authority of a school district conflicts
8 with the power and authority of a municipal corporation,
9 county, or joint county-municipal corporation, the power and
10 authority exercised by a municipal corporation, county, or
11 joint county-municipal corporation shall prevail within its
12 jurisdiction.

13 3. The rule or proposition of law that a school district
14 possesses and can exercise only those powers granted in express
15 words is not a part of the law of this state.

16 EXPLANATION

17 This bill relates to the power and authority of school
18 districts by amending Code chapter 274 to grant school
19 districts home rule power and authority, not inconsistent with
20 the laws of the general assembly, to determine their local
21 affairs and government. Such power and authority, however,
22 does not include the power to levy any tax unless expressly
23 authorized by the general assembly. If the school district's
24 power or authority conflicts with that of a municipal
25 corporation, county, or joint county-municipal corporation, the
26 power or authority of the municipal corporation, county, or
27 joint county-municipal corporation shall prevail.

28 The bill provides that the rule or proposition of law that a
29 school district possesses and can exercise only those powers
30 granted in express words is not part of the law of Iowa.